IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1395 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 30/08/2004 in WP No: 13175 OF 2004 on the file of the High Court.)

Between:

Abdul Wahed Feroze, S/o Mohd.Abdul Majeed,
Muffakhamjah Colleg of Engineering & Technology, Hyderabad
R/o H.No.K-43, N.R.R.Puram, Borabanda, Hyderabad-500018.

..... APPELLANT

AND

1. Muffakham Jah College of Engineering and Technology, Rep.by its Principal, Road No.3, Banjara Hills, Hyderabad
2. Osmania University, represented by its Registrar, Hyderabad

.....RESPONDENTS

Counsel for the Appellant: Mr.K.RAMAKANTH REDDY

Counsel for the Respondent No.1: Mr.C.V.MOHAN REDDY

Counsel for Respondent No.2: Mr.Deepak Bhattacharjee

SC for Osmania University.

The Court made the following :

ORAL JUDGMENT:

(per The Honourable Sri Devinder Gupta, the Chief Justice)

Appellant's Writ Petition was dismissed. Appeal is against the said order. Appellant is claiming promotion to the B.E. IV Year first semester and is trying to press in service Rule 5 of the Rules and Regulations of the respondent-University, which envisages that for promotion to the first semester of IV year from second semester of BE III year, one must pass second year fully and the number of backlogs, if any, of I and II semesters of BE III year put together shall not exceed 50% of the total number of papers prescribed for the first and second semester of BE III Year. Admittedly, in Civil Engineering there are total 16 papers in III year, namely, 8 in the first semester and 8 in the second semester. Petitioner, admittedly, is having 9 backlogs, of which, four each are from the first and second semesters of III year and one backlog of II year second semester. As such, the petitioner-appellant's grievance is unfounded that he must be promoted to the first semester of IV year, for which, one of the conditions was that one should have passed second year fully. Since, there is one backlog of second year and 8 backlogs of first and second semesters of III year, respondents are justified in not promoting the petitioner. The Writ Appeal, therefore, is dismissed. No costs.

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DEVINDER GUPTA, C.J.

03.11.2004.

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C.V.RAMULU, J.

VR.

To

1. The Principal Muffakham Jah College of Engineering and Technology, Road No.3, Banjara Hills, Hyderabad
2. The Registrar, Osmania University, Hyderabad

3. Two CD copies.